

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL
August 26, 2002

The REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL was held on Monday, August 26, 2002, at 7:00 p.m., in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina.

PRESENT: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mr. Milton Farley, Councilmember District No. 1; Ms. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Charles E. Davis, Councilmember District No. 4; Mr. Steve M. Vaughn, Councilmember District No. 5; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr., Councilmember District No. 7; District 8 (Vacant); Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina and the Berkeley County Library, and mailed to the newspapers, radio stations, television stations and concerned citizens.

Chairman Rozier called the meeting to order; Councilmember Spooner gave the invocation; and Councilmember Crosby led in the Pledge of Allegiance to the Flag of the United States of America.

Chairman Rozier asked Council's pleasure on the Approval of Minutes for Public Hearings, Bills Numbered 02-14, 02-15, and 02-16, June 24, 2002; Special Council Meetings, July 1, 2002 and July 8, 2002; Public Hearings, Bills Numbered 02-09, 02-24, 02-25, 02-26, and 02-27, July 22, 2002; and Regular Council Meeting, July 22, 2002.

It was moved by Councilmember Spooner and seconded by Councilmember Vaughn to approve the minutes as presented. The motion passed by unanimous voice vote of Council.

No Public Discussion.

Chairman Rozier stated an Executive Session was needed to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

It was moved by Councilmember Vaughn and seconded by Councilmember Mims to enter into Executive Session for the reason stated. The motion passed by unanimous voice vote of Council.

Berkeley County Council entered into Executive Session at 7:02 p.m. and returned at 7:12 p.m.

Mr. Stokes stated Berkeley County Council went into Executive Session to discuss matters as stated in the motion; no formal action was taken.

Chairman Rozier stated there were five Bills for Third Reading; the sixth Bill was being held.

THIRD READINGS:

“BILL NO. 02-09, AN ORDINANCE TO AMEND AND CLARIFY CERTAIN SECTIONS OF ORDINANCE NO. 01-8-35, ADOPTED AUGUST 27, 2001, ZONING AND DEVELOPMENT STANDARDS ORDINANCE, - “BERKELEY COUNTY ZONING ORDINANCE” AND TO REPEAL IN ITS ENTIRETY ORDINANCE NO. 99-4-19.”

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve **Bill No. 02-09** for Third and Final Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 02-08-33 is attached to these Minutes.)

“BILL NO. 02-13, AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF A NOT EXCEEDING \$3,051,000 WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE (MACEDONIA WATER PROJECT), 2002, OF BERKLEY COUNTY, SOUTH CAROLINA ISSUED IN ANTICIPATION OF THE ISSUANCE OF A WATER AND SEWER SYSTEM REVENUE BOND; PROVIDING FOR THE FORM AND DETAILS OF THE NOTE; PROVIDING FOR THE PAYMENT OF THE NOTE; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.”

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve **Bill No. 02-13** for Third and Final Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 02-08-34 is attached to these Minutes.)

“BILL NO. 02-18, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, AND ENDING JUNE 30, 2003, FOR THE DEVON FOREST SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE DEVON FOREST SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.”

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve **Bill No. 02-18** for Third and Final Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 02-08-35 is attached to these Minutes.)

“BILL NO. 02-24, AN ORDINANCE TO AMEND BERKELEY COUNTY ANIMAL CONTROL ORDINANCE NUMBER 93-11-26 TO REDUCE THE IMPOUNDMENT PERIOD FROM TWENTY ONE (21) DAYS TO FIVE (5) DAYS.”

It was moved by Councilmember Pinckney and seconded by Councilmember Spooner to approve **Bill No. 02-24** for Third and Final Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 02-08-36 is attached to these Minutes.)

“BILL NO. 02-28, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #161-00-02-172.”

It was moved by Councilmember Vaughn and seconded by Councilmember Pinckney to approve **Bill No. 02-28** for Third and Final Reading. The motion passed by majority voice vote of Council. (A copy of Ordinance No. 02-08-37 is attached to these Minutes.)

Councilmember Mims asked to be excused from voting on Bill No. 02-28. A copy of her request is attached hereto and by reference is made a part hereof.

SECOND READINGS:

“BILL NO. 02-31, AN ORDINANCE APPROVING THE FINANCING OF CERTAIN IMPROVEMENTS TO THE SEWER SYSTEM PORTION OF THE WATER AND SEWER SYSTEM OF BERKELEY COUNTY, SOUTH CAROLINA, THROUGH A BORROWING BY THE COUNTY OF NOT EXCEEDING \$1,865,000 INCLUDING CAPITALIZED INTEREST, IF ANY, FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND, BY AGREEMENT WITH THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, PURSUANT TO TITLE 48, CHAPTER 5, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; PROVIDING FOR AN AGREEMENT TO MAKE AND TO ACCEPT A LOAN, THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE COUNTY AND THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE FROM THE COUNTY TO THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY; AND OTHER MATTERS RELATING THERETO.”

It was moved by Councilmember Vaughn and seconded by Councilmember Pinckney to approve **Bill No. 02-31** for Second Reading. The motion passed by unanimous voice vote of Council.

“BILL NO. 02-34, AN ORDINANCE TO AMEND ORDINANCE NO. 99-7-41 AND TO ADOPT THE MOST RECENT VERSION OF VARIOUS INTERNATIONAL CODES RELATING TO BUILDING, RESIDENTIAL, GAS, PLUMBING, MECHANICAL, AND FIRE STANDARDS.

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to approve **Bill No. 02-34** for Second Reading.

Councilmember Vaughn stated he still contends that this Ordinance is going to make affordable housing very difficult for poor people. He stated he didn't think that the residents of Berkeley County realize that to build a screened porch, plans would have to be drawn to get a permit; he disagrees, but would like to see the outcome of the Public Hearing.

Councilmember Pinckney stated the Public needs to be further informed through the media so they may have a better understanding of what's about to happen with the codes.

Councilmember Spooner stated that in addition to South Carolina's adoption of this code, 24 states have adopted the International Codes. However, South Carolina was the first state to adopt it.

Chairman Rozier explained that the International Codes makes it more expensive and more difficult to build a house, or even a deck. To build a deck or screened porch you will have to have it stamped by an engineer, which costs \$500 minimum. Berkeley County is the only county that has not adopted the code and he would like for the public to get involved and express their concerns. He stated, personally, he is not looking for a way to adopt it, he is looking for a way not to.

The motion to approve **Bill No. 02-34** for Second Reading and send to Public Hearing passed by unanimous voice vote of Council.

"BILL NO. 02-37, AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BERKELEY COUNTY, SOUTH CAROLINA, SPECIAL SOURCE REVENUE BOND (CROPTech CORPORATION PROJECT) SERIES 2002; THE ENTERING INTO OF CERTAIN COVENANTS AND AGREEMENTS AND THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS RELATING TO THE ISSUANCE OF THE AFORESAID BOND, INCLUDING (I) AN INDENTURE; AND (II) CERTAIN OTHER MATTERS RELATING THERETO."

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve **Bill No. 02-37** for Second Reading. The motion passed by unanimous voice vote of Council.

Mr. Stokes stated as a point of order, the Legal Department did not provide a complete title on Bill No. 02-24 for Third Reading, and to clarify the record he would like to read the entire title. He read the title as follows:

"BILL NO. 02-24, AN ORDINANCE TO AMEND BERKELEY COUNTY ANIMAL CONTROL ORDINANCE NO. 93-11-26 TO REDUCE THE IMPOUNDMENT PERIOD FROM TWENTY ONE (21) DAYS TO FOURTEEN (14) DAYS FOR OWNER IDENTIFIED ANIMALS, AND TO FIVE (5) DAYS FOR NON-OWNER IDENTIFIED ANIMALS."

Chairman Rozier read the six Bills for First Reading and explained that on Bills for First Reading there is no discussion or vote.

FIRST READINGS:

“BILL NO. 02-38, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #222-00-00-073.”
(Jannie Austin)

“BILL NO. 02-39, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #221-00-00-068.”
(Charles R. Adams, Jr., and Dawn Wiseman-Adams)

“BILL NO. 02-40, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #180-00-01-048 AND 180-00-01-049.” (Berkeley Properties, LLC)

“BILL NO. 02-41, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #161-15-00-002 AND 003.” (Georgia S. Driggers)

“BILL NO. 02-42, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #175-00-02-058.”
(Elijah Pringle for Bertha Pringle Simmons)

“BILL NO. 02-43, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #103-00-01-001.”
(Andrew Giannelli)

Chairman Rozier stated part of the first Resolution needed to be separate, which would be for the transfer of funds excluding the three positions that were being upgraded.

RESOLUTIONS:

“RESOLUTION, PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2002-2003 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to adopt the Transfer Resolution separating the three (3) positions for upgrade. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-38 is attached to these Minutes.)

It was moved by Councilmember Vaughn and seconded by Councilmember Farley to approve the funding for the three (3) positions to come from Contingency. The motion passed by unanimous voice vote of Council.

“RESOLUTION, MAKING APPLICATION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE ISSUANCE BY BERKELEY COUNTY, SOUTH CAROLINA OF A SPECIAL SOURCE REVENUE BOND (CROPTech CORPORATION PROJECT), PURSUANT TO THE PROVISIONS OF TITLE 4, CHAPTER 29 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$2,000,000.”

It was moved by Councilmember Vaughn and seconded by Councilmember Mims to adopt the Resolution Re: CropTech Corporation as presented. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-37 is attached to these Minutes.)

“RESOLUTION TO ESTABLISH A POLICY OF MITIGATION FOR WETLANDS, FLOODPLAINS, IMPORTANT FARMLANDS, AND FORMALLY CLASSIFIED LANDS.”

It was moved by Councilmember Vaughn and seconded by Councilmember Farley to adopt the Resolution as presented. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-39 is attached to these Minutes.)

REPORTS FROM STANDING COMMITTEES:

COMMITTEE ON FINANCE, Councilmember Steve M. Vaughn, Chairman.

Councilmember Vaughn stated the Committee met on August 12 and August 19 and all matters before them were taken care of on tonight's agenda.

Chairman Rozier entertained a motion to spend bond savings for computer equipment up to \$20,000.

It was moved by Councilmember Vaughn and seconded by Councilmember Pinckney to approve expenditure of the bond savings as specified. The motion passed by unanimous voice vote of Council.

There was no report from the **COMMITTEE ON LAND USE**, Councilmember Charles E. Davis, Chairman.

COMMITTEE ON PUBLIC WORKS AND PURCHASING, Councilmember William E. Crosby, Chairman.

Councilmember Crosby stated the Committee met on August 19 and on the recommendation of the Committee he moved to award Contract No. 1 in the amount of \$1,359,908.45 and Contract No. 2 in the amount of \$712,641.50 to **B.F. McMahon, Inc.** for the Macedonia Water Extension Project. (No Second Required) The motion passed by unanimous voice vote of Council

Also on recommendation of the Committee Councilmember Crosby moved to award the contract for the Excavator purchase to **Blanchard Machinery Company** in the amount of \$128,715.00 for a Caterpillar 320CL. (No Second Required) The motion passed by unanimous voice vote of Council.

Councilmember Crosby continued, upon the recommendation of the Committee, he moved to award the contract for Phase II of Strawberry/Thurgood Road water and sewer extension to **B. F. McMahon, Inc.** in the amount of \$408,799.00. (No Second Required) The motion passed by unanimous voice vote of Council.

On the recommendation of the Committee Councilmember Crosby moved to approve the sole source purchase of the Fire Alarm System for the Berkeley County Detention Center to **L&S Electronics**; no additional funds required. (No Second Required) The motion passed by unanimous voice vote of Council

There was no report from the **COMMITTEE ON JUSTICE AND PUBLIC SAFETY**, Councilmember Milton Farley, Chairman.

COMMITTEE ON WATER AND SANITATION, Councilmember Judith K. Spooner, Acting Chairman.

Councilmember Spooner stated the Committee met on August 12 and on the Committee's recommendation she moved to appoint **Pam Singleton** to the Berkeley County Water & Sanitation Authority's Grievance Committee to serve from September 25, 2002 through September 25, 2005. (No Second Required) The motion passed by unanimous voice vote of Council

COMMITTEE ON PLANNING AND DEVELOPMENT, Councilmember Judith K. Spooner, Chairman.

Councilmember Spooner stated the Committee met on August 19 and the adoption of the International Codes for Berkeley County was considered for review prior to Second Reading.

Councilmember Spooner stated Adoption of certain amendments to the Berkeley County Zoning Ordinance was considered for review prior to Third Reading.

COMMITTEE ON COMMUNITY SERVICES, Councilmember Judy C. Mims, Chairman.

Councilmember Mims stated the Committee met on August 12 and on the Committee's recommendation she moved to approve two grants for the Berkeley County Library System: 1) The Specialized collection grant in the amount of \$20,000; and 2) The Opening Day collection grant in the amount of \$30,000. (No Second Required.) The motion passed by unanimous voice vote of Council

There was no report from the **COMMITTEE ON HUMAN SERVICES**, Councilmember Caldwell Pinckney, Jr., Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

Councilmember Vaughn nominated John Ewing to serve a term not to exceed the end of 2002 to run concurrent with his term as Councilmember; and to replace John Zervos according to the bylaws, who represents the developer who does not live in the development. This replacement would be effective until December 31, 2002.

The nomination passed by unanimous voice vote of Council.

There was no **CORRESPONDENCE**.

UNFINISHED BUSINESS

Mr. Stokes addressed Council in regard to a statement received from Goodstein Law Firm. He stated the County had been billed \$4,928.26 for legal defense in the case of Charles Davis versus James H. Rozier, Jr. There were no funds within his budget to satisfy the billing; therefore, he was asking Council to consider appropriating this bill by sending it to Finance to have the funds transferred from Contingency.

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to send the legal fees in the amount of \$4,928.26 to Finance for funding. The motion passed by majority voice vote of Council with Councilmember Davis voting "Nay".

There was no **NEW BUSINESS**.

Chairman Rozier announced that the next Regular Council Meeting would be held on September 23, 2002, in the Assembly Room, 223 North Live Oak Drive, Moncks Corner, SC, at 7:00 p.m.

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to adjourn. The motion passed by unanimous voice vote of Council.

The Regular Council Meeting adjourned at 7:45 p.m. for Execution of documents and reconvened at 7:52 p.m. for Public Discussion.

PUBLIC DISCUSSION

Mr. Michael Ringley of 1301 Apache Pine Drive, Tall Pines addressed Council in regards to the expansion of the Tall Pines Special Tax District. Tall Pines has an existing district of 596 homes and are trying to expand the district to include 164 additional homes. He stated the annual Special Tax amount is \$49 per developed property and the new proposed Special Tax District amount would also be \$49. Mr. Ringley addressed the annual monetary obligations for the Special Tax District and the services provided.

Mr. Ringley stated that along with him were 17 board members who were instrumental in getting petitions signed to bring in the 44 homes built by Sterling Builders and they would like Council's consideration of the proposal/petition that had been signed.

Mr. Preston Jones of 1399 Cecilia Drive stated he represented Centex Homes and owned 118 lots that butt the existing Tall Pines Subdivision. When they bought the lots they did the appropriate research and made sure the HOA was creditable; and they are in favor of the Special Tax District.

Councilmember Vaughn asked if when the lots are deeded over to the Home Owners Association, would they bring them within standards that are accepted by the HOA? Mr. Jones replied, yes. Currently, all of their covenants and restrictions reflect the possibility of the annexation being expanded.

The Public Discussion ended at 8:02 p.m.

S/Barbara B. Austin
Clerk of County Council

September 23, 2002
Date Approved

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** to be held on Monday August 26, 2002, is scheduled to begin at 7:00 P.M., in the ASSEMBLY ROOM, BERKELEY COUNTY OFFICE BUILDING, 223 NORTH LIVE OAK DRIVE, MONCKS CORNER, S. C.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

APPROVAL OF MINUTES:

Public Hearings Bills Numbered: 02-14, 02-15, 02-16	June 24, 2002
Special Council Meeting	July 1, 2002
Special Council Meeting	July 8, 2002
Public Hearings Bills Numbered: 02-09, 02-24, 02-25, 02-26, and 02-27	July 22, 2002
Regular Council Meeting	July 22, 2002

PUBLIC DISCUSSION - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

THIRD READING:

1. **Bill No. 02-09**, an Ordinance to amend and clarify certain sections of Ordinance No. 01-8-35, adopted August 27, 2001, Zoning and Development Standards Ordinance, – “Berkeley County Zoning Ordinance” and to repeal in its entirety Ordinance No. 99-4-19.
[Recommended by Committee on Planning and Development]
[Recommended by Planning Commission August 13, 2002]

2. **Bill No. 02-13**, an Ordinance authorizing the issuance and sale of a not exceeding \$3,051,000 Water and Sewer System Revenue Bond Anticipation Note (Macedonia Water Project), 2002, of Berkeley County, South Carolina, issued in anticipation of the issuance of a

water and sewer system revenue bond; providing for the form and details of the note; providing for the payment of the note; providing for the disposition of the proceeds thereof; and other matters relating thereto

[Recommended by Committee on Water and Sanitation]

3. **Bill No. 02-18**, An Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the Devon Forest Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

4. **Bill No. 02-24**, An Ordinance to amend Berkeley County Animal Control Ordinance Number 93-11-26 to reduce the impoundment period from twenty-one (21) days to five (5) days.

[Recommended by Committee on Human Services]

5. **Bill No. 02-28**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Moses Brown, Highway 17-A, Moncks Corner, TMS #161-00-02-172 (2 acres), from PDMU, Planned Development-Mixed Use District, to GC, General Commercial District. Council District No. 8.

[Recommended by Committee on Land Use]

6. **Bill No. 02-32**, An Ordinance authorizing the execution and delivery of a fee agreement by and between Berkeley County, South Carolina, and DAK Resins, LLC to provide for a fee in lieu of taxes incentive, and other matters relating thereto.

[Recommended by Committee on Finance]

Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.

SECOND READING:

1. **Bill No. 02-31**, an Ordinance approving the financing of certain improvements to the sewer system portion of the water and sewer system of Berkeley County, South Carolina, through a borrowing by the County of not exceeding \$1,865,000 including capitalized interest, if any, from the State Water Pollution Control Revolving Fund, by agreement with the South Carolina Water Quality Revolving Fund Authority, pursuant to Title 48, Chapter 5, Code of Laws of South Carolina 1976, as amended; providing for an agreement to make and to accept a loan, the execution and delivery of a loan agreement between the County and the South Carolina Water Quality Revolving Fund Authority, the execution and delivery of a promissory note from the County to the South Carolina water Quality Revolving Fund Authority; and other matters relating thereto.

[Recommended by Committee on Water and Sanitation]

2. **Bill No. 02-34**, An Ordinance to amend Ordinance No. 99-7-41 and to adopt the most recent version of various International Codes relating to Building, Residential, Gas, Plumbing, Mechanical, and Fire Standards.
[Recommended by Committee on Planning and Development]

3. **Bill No. 02-37**, an Ordinance authorizing the issuance and sale of Berkeley County, South Carolina, Special Source Revenue Bond (CropTech Corporation Project) Series 2002; the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the issuance of the aforesaid bond, including (i) an indenture; and (ii) certain other matters relating thereto.
[Recommended by Committee on Finance]

FIRST READING:

1. **Bill No. 02-38**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Jannie Austin, 1144 College Park Road, Summerville, TMS #222-00-00-073 (1.2 acres of 2.20 acres total), from R-2, Manufactured Residential District, to GC, General Commercial District. Council District No. 4.
[Recommended by Committee on Land Use]

2. **Bill No. 02-39**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Charles R. Adams, Jr., and Dawn Wiseman-Adams, 125 Wolfhound Lane, Summerville, TMS #221-00-00-068 (Lot 3A, 1.87 acres and Lot 3 B, 1.12 acres, 3 acres total), from R-1, Single Family Residential District, to R-1MM, Multi-Section Residential District. Council District No. 4.
[Recommended by Committee on Land Use]

3. **Bill No. 02-40**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re Berkeley Properties, LLC, South Live Oak Drive and Oakley Road, Moncks Corner, TMS #180-00-01-048 (1.26 acres portion, 2.2 acres total) and 180-00-01-049 (8.38 acres), from GC, General Commercial District, and R-2 Manufactured Residential District, to GC General Commercial District. Council District No. 6.
[Recommended by Committee on Land Use]

4. **Bill No. 02-41**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Georgia S. Driggers, 1535 and 1539 South Live Oak Drive, Moncks Corner, TMS #161-15-00-002 and 003 (2 lots), from GC, General Commercial District, to R-2, Manufactured Residential District. Council District No. 7.
[Recommended by Committee on Land Use]

5. **Bill No. 02-42**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Elijah Pringle for Bertha Pringle Simmons, 1045 Gaddist Road, Ridgeville, TMS #175-00-02-058 (.50 acre 1.3 acres total), from F-1 Agricultural District to RNC, Rural and Neighborhood Commercial District. Council District No. 7.

[Recommended by Committee on Land Use]

6. Bill No. 02-43, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Andrew Giannelli, 212 Open Door Lane, Moncks Corner, TMS #103-00-01-001 (2.75 portion, 71.36 acres total), from F-1, Flexible District, to RNC, Rural and Neighborhood Commercial District. Council District No. 8.

[Recommended by Committee on Land Use]

RESOLUTIONS:

1. **RESOLUTION** providing for the Transfer of Funds in the 2002-2003 Berkeley County Budget for County Purposes other than as specified in said Budget.

[Recommended by Committee on Finance]

2. **RESOLUTION** making application to the State Budget and Control Board of South Carolina for approval of the issuance by Berkeley County, South Carolina of a Special Source Revenue Bond (Croptech Corporation Project), pursuant to the provisions of Title 4, Chapter 29 of the Code of Laws of South Carolina, 1976, as amended, in the principal amount of not exceeding \$2,000,000.

[Recommended by Committee on Finance]

3. **RESOLUTION** to establish a policy of mitigation for wetlands, floodplains, important farmlands, and formally classified lands.

[Recommended by Committee on Water and Sanitation]

REPORTS FROM STANDING COMMITTEES:

1. Committee on Finance.
Councilmember Steve M. Vaughn, Chairman.

2. Committee on Land Use.
Councilmember Charles E. Davis, Chairman.

3. Committee on Public Works and Purchasing.
Councilmember William E. Crosby, Chairman.
Recommendations:

1. Macedonia Water Extension Project
2. Excavator Purchase
3. Strawberry/Thurgood Road Water & Sewer Extension
4. Sole Source Purchase/Fire Alarm System for Detention Center

4. Committee on Justice and Public Safety.
Councilmember Milton Farley, Chairman.

5. Committee on Water and Sanitation.
Councilmember Judith K. Spooner, Acting Chairman.
Recommendations:
BCW&SA grievance committee member (Pam Singleton 9/25/02-9/25/05)
6. Committee on Planning and Development.
Councilmember Judith K. Spooner, Chairman.
7. Committee on Community Services.
Councilmember Judy C. Mims, Chairman.
Recommendations:
Berkeley County Library: approval of two (2) grants.
8. Committee on Human Services.
Councilmember Caldwell Pinckney, Jr., Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

BERKELEY-CHARLESTON-DORCHESTER RTMA
CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS
GOOSE CREEK RECREATION COMMISSION
HOUSING BOARD OF ADJUSTMENTS AND APPEALS
SPIERS LANDING COMMISSION
WATER AND SANITATION APPEALS BOARD

CORRESPONDENCE

UNFINISHED BUSINESS

Funding of legal fees for an existing claim against the County.

NEW BUSINESS

ANNOUNCEMENTS

The SEPTEMBER 2002, Regular Meeting of Berkeley County Council will be held on MONDAY SEPTEMBER 23, 2002, in THE ASSEMBLY ROOM, 223 NORTH LIVE OAK DRIVE, MONCK'S CORNER, S. C., at 7:00 P.M.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

August 21, 2002
S/Barbara B. Austin
Clerk to County Council